

EXHIBIT 5

SUMMARY OF BASIS FOR CREDITOR'S CLAIM

Creditor is a Plaintiff in active litigation against Debtors. Because the complaint is voluminous at 111 pages long, Creditor is submitting this summary of the basis for the Creditor's claim per the instructions of the Notice of Deadlines for Filing Proofs of Claim. Plaintiff filed the initial complaint on May 9, 2012, in United States District Court, Central district of California—Western Division, Case No.: 12-5016-JAK (AGRx). The First Amended Complaint ("FAC") was filed on October 31, 2012. As of the date of this proof of claim, Defendants/Debtors GMAC Mortgage, LLC, GMAC-RFC Holding Residential Funding Company, LLC, Home Connects Lending Services, LLC, Homecomings Financial, LLC, Executive Trustee Services, LLC, Residential Funding Company, LLC, Residential Capital, LLC, Residential Funding Real Estate Holdings, LLC, and Residential Mortgage Real Estate Holdings, LLC (collectively referred to as "Defendants") have not responded to Plaintiff's FAC.

Plaintiff alleges the following causes of actions: (1) fraudulent concealment pursuant to California Civil Code (Civil Code) sections 1572, 1709 and 1710; (2) intentional misrepresentations pursuant to Civil Code sections 1572, 1709, and 1710; (3) negligent misrepresentations pursuant to Civil Code sections 1572, 1709, and 1710; (4) unfair competition pursuant to California Business and Professions Code section 17200; (5) wrongful foreclosure pursuant to Civil Code section 2924; and (6) improper influence over appraiser pursuant to Civil Code section 1090.5.

Plaintiff claims the Defendants set out upon a massive and centrally-directed fraud by which Defendants (1) placed Plaintiff into loans which Defendants *knew* Plaintiff could not afford and would default upon to a mathematical certainty, (2) abandoned industry-standard underwriting guidelines, (3) concealed/misrepresented the terms of their loans to Plaintiff to induce unwitting consent, and (4) intentionally inflated the appraisal values of homes throughout California in a market-fixing scheme –*knowing that their scheme would cause the precipitous decline in values of all homes throughout California*, including those of Plaintiff's. Plaintiff seeks monetary damages of approximately \$1.3 million dollars.